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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 WILLIAM H. CHISM, III,

12 Plaintiff,

13 v.

14 CHANG, et al.,

15 Defendants.  
16

No. 2:20-CV-1072-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to  
18 42 U.S.C. § 1983. Pending before the Court are: (1) Plaintiff's motion for relief from the August  
19 5, 2022, order, ECF No. 30, which is construed as a motion to modify the schedule for this case;  
20 and (2) Defendants' motion to modify the schedule, ECF No. 33.

21 A review of the docket reflects that discovery closed 120 days following issuance  
22 of the Court's August 5, 2022, order approving the parties' stipulation to modify the schedule.  
23 See ECF No. 27. In his motion, Plaintiff argues that he was not aware of the stipulation or the  
24 modification to the schedule due to a substitution of counsel which was approved on August 16,  
25 2022. See ECF Nos. 30 (Plaintiff's motion) and 29 (order approving substitution). For this  
26 reason, Plaintiff seeks additional time to conduct discovery and file a dispositive motion. See id.  
27 Defendants oppose Plaintiff's motion. See ECF No. 31. Separately, Defendants also seek to  
28 modify the schedule. See ECF No. 33. In their motion, Defendants ask the Court to extend the

1 deadline to file dispositive motions. See id.

2 Good cause appearing therefor, the parties' motions will be granted. As to  
3 Plaintiff's request for relief, the parties shall be granted an additional 120 days within which to  
4 conduct discovery. As to Defendants' request, the deadline for filing dispositive motions will be  
5 extended.

6 Accordingly, IT IS HEREBY ORDERED as follows:

- 7 1. Plaintiff's motion for relief from the Court's August 5, 2022, order, which  
8 is construed as a motion to modify the schedule for this case, is granted.
- 9 2. Defendant's motion for modification of the schedule for this case, ECF No.  
10 33, is granted.
- 11 3. The parties may conduct discovery until August 28, 2023. All requests for  
12 discovery pursuant to Fed. R. Civ. P. 30, 31, 33, 34, 36, and 45 shall be served not later than sixty  
13 days prior to this date. Any motions necessary to compel discovery shall be filed by this date.
- 14 4. All dispositive motions shall be filed not later than 120 days after the  
15 discovery cut-off date specified above.
- 16 5. The Clerk of the Court is directed to terminate ECF Nos. 30 and 33 as  
17 pending motions.

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19 Dated: April 26, 2023



20 DENNIS M. COTA  
21 UNITED STATES MAGISTRATE JUDGE  
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